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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,279	01/17/2002	Hannu Korhonen	3397-105PUS	3927
7590	12/21/2004			
Michael C Stuart Cohen Pontani Lieberman & Pavane Suite 1210 551 Fifth Avenue New York, NY 10176			EXAMINER HALPERN, MARK	
			ART UNIT	PAPER NUMBER
			1731	

DATE MAILED: 12/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/936,279

Applicant(s)

KORHONEN ET AL.

Examiner

Mark Halpern

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 47-95 and 97-133 is/are pending in the application.
- 4a) Of the above claim(s) 48,52,62-64,67,68,71,72,75,79,82,83,86,88,89,91-93,95,111,115-120,123-126 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 128-133 is/are allowed.
- 6) ☒ Claim(s) 47,49-51,53-61,65,66,76-78,80,81,84,85,87,90,94,97-110,113,121 and 127 is/are rejected.
- 7) ☒ Claim(s) 69,70,73,74,112 and 114 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1) Acknowledgement is made of Amendment received 9/29/2004. Claims 47, 74-75, 77, 80-81, 84-85, 98-99, 109-110, are amended, claim 96 is cancelled, new claims 128-133, are offered for consideration.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2) Claims 47, 49-51, 53-61, 65-66, 76-78, 80-81, 84-85, 87, 90, 94, 97-99, 100-110, 113, 121, 127, are rejected under 35 U.S.C. 103(a) as being unpatentable over Karvinen in view of Schiel (5,256,257).

Claims 47, 49, 51, 53-55, 57-61, 65-66, 76, 87, 94, 97-99, 100, 102-104, 106-109-110, 113, 127: Karvinen discloses a web W formed on wire 10, which is either a fourdrinier wire or the carrying wire of a twin wire former. The web is detached by pick-up roll 22 onto wire 20 and then through a nip N<sub>1</sub> formed between roll 24 of upper fabric 20 and roll 25 of lower fabric 40. The web proceeds onto lower fabric 50 and then onto first drying cylinder roll 63 with the help of suction roll 62 of wire 60. The lower fabric 50 is a transfer fabric or transfer belt and is impervious. The lower fabric 50 is in an endless loop formation and within said loop contain impervious belt 110 also in an

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endless loop formation. Both endless lower loops 50 and 110 are in a nip formation  $N_p$  with upper fabric 30 wherein the web is traveling through as it is being dewatered. The force applied to the web  $W$  at nip  $N_p$  is exerted by upper roll 101 located within endless loop 30 and lower press shoe 108 located within endless loops 50 and 110 (Karvinen, col. 4, line 41 to col. 6, line 65, col. 7, lines 40-56, and Figure). Karvinen is silent on the form of the web treatment substance. Schiel discloses spray applicator 24 and brush roll 23 are utilized to provide fluid treatment to transfer belt 8, which then touches the web as the belt travels (Schiel, col. 5, lines 50-60). It would have been obvious, to one skilled in the art at the time the invention was made, to combine the teachings of Karvinen and Schiel, because such a combination would provide an effective means of applying the web treatment to the web.

Claim 50: Karvinen is silent on the solids content of the web while the web is subjected to a surface treatment, however, it would have been obvious to one skilled in the art at the time the invention was made, that the solids content of the web would be in any range including the claimed range, since the web steam treatment between nips  $N_1$  and  $N_2$  and the force applied at nip  $N_p$  could be varied to achieved the claimed solids conditions of the web.

Claims 56, 77-78, 80-81, 84-85, 105, 121: Schiel discloses an impervious transfer belt 8 on which a web travels and is heated by a heating device 25 using radiation and or hot air to heat and pre-dry the web (Schiel, col. 4, line 44 to col. 5, line 68, and Figure 1).

Claims 101: a calender arrangement is shown in Figure 1 of Schiel.

***Allowable Subject Matter***

- 3) Claims 128-133, are allowed.
- 4) Claims 69-70, 73-74, 112, 114, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The primary reason for indicating allowable subject matter, is that the cited prior art does not show: a method for treating web that includes treating the web in a calibrating press prior to passing the web to the first drying cylinder (claims 69, 128); an apparatus for paper making that includes a calibrating press located in front of a drying cylinder (claims 112, 132).

***Response to Amendment***

- 5) Claims 59, 81, 87, 94, rejection under 35 U.S.C. 112, second paragraph, is withdrawn in view of amended claims.
- 6) Claims 47, 49, 51, 53-55, 57-58, 76, 97-98, 100, 102-104, 106-108, 113, 127, rejection under 35 U.S.C. 102(b) as being anticipated by Karvinen (4,931,143), is withdrawn in view of amended claims.
- 7) Claims 50, rejection under 35 U.S.C. 103(a) as being unpatentable over Karvinen, is withdrawn in view of amended claims.
- 8) Claims 56, 59-61, 65-66, 77-78, 80-81, 84-85, 87, 90, 94, 96, 99, 101, 105, 109-110, 121, rejection under 35 U.S.C. 103(a) as being unpatentable over Karvinen in view of Schiel (5,256,257), is withdrawn in view of amended claims.

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9) Applicants' arguments with respect to the rejected claims have been considered but are moot in view of the new ground(s) of rejection.

10) Applicants' arguments filed 9/29/2004, have been fully considered but they are not persuasive.

Applicants allege that claims 67, 68, 72, 79, are not properly listed.

Examiner responds that claims 67, 68, 72, 79, are properly listed since the claims represent non-elected species or depend from claims of non-elected species.

### ***Conclusion***

11) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Halpern whose telephone number is 571-272-1190. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571-272-1189. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Mark Halpern